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Letter dated 14 March 2016 from the Permanent Representative of the United Arab Emirates to the United Nations addressed to the Secretary-General

On instructions from my Government and with reference to the letter dated 9 February 2016 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General (S/2016/131), I have the honour to convey to you the following:

The United Arab Emirates categorically rejects the baseless claims made by the Islamic Republic that the three United Arab Emirates islands of Lesser Tunb, Greater Tunb and Abu Musa in the Arabian Gulf have been and continue to be an integral part of Iranian territory.

The United Arab Emirates previously refuted those claims in its letter to you dated 23 October 2014 (S/2014/759). It provides the following facts to refute those claims:

1. The three islands of Lesser Tunb, Greater Tunb and Abu Musa in the Arabian Gulf are an integral part of the territory of the United Arab Emirates.

2. Iranian forces arrived on Abu Musa island for the first time on 30 November 1971 (see annex to S/2014/759). The presence of those forces on the island was sanctioned by the Memorandum of Understanding regarding Abu Musa that was concluded in November 1971. The provisions of that Memorandum and the map attached thereto delimited, inter alia, the area of Abu Musa that is to be occupied by those forces; that area conforms to the extent of Iranian jurisdiction on the island. The 1971 Memorandum is still in force and binding, and is the only legal basis for the presence of Iranian forces in the area allocated to them on the island. Any unilateral revocation of the 1971 Memorandum of Understanding shall be null, void and without effect because it contravenes the rules and principles of international law.

3. The Iranian armed forces occupied the two islands of Greater Tunb and Lesser Tunb by force on 30 November 1971, in contravention of the Charter of the United Nations, Article 2, paragraph 4. The Government of the United Arab Emirates stresses that the illegality of territorial acquisition resulting from the threat or use of force is an established principle of international law. Moreover, in its resolution 2625 (XXV) of 24 October 1970, entitled "Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United

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Nations", the General Assembly emphasized that no territorial acquisition resulting from the threat or use of force shall be recognized as legal.

In keeping with its commitment to the peaceful settlement of disputes as provided for in the Charter of the United Nations, the United Arab Emirates calls on the Islamic Republic of Iran to resume negotiations between the two countries on the basis of the elements proposed by the United Arab Emirates at the Abu Dhabi meeting of 27 and 28 September 1992 and the Doha meeting of 18 to 21 November 1995, which were as follows:

1. The illegal Iranian military occupation of the islands of Lesser Tunb and Greater Tunb should be brought to an end.

2. There should be no interference in the exercise by the United Arab Emirates of its jurisdiction over the part of the island of Abu Musa allocated to it under the 1971 Memorandum of Understanding.

3. All of the measures imposed by the Iranian authorities on the jurisdiction of the United Arab Emirates and its citizens on Abu Musa in contravention of the 1971 Memorandum of Understanding should be rescinded.

4. The dispute regarding the three islands should be referred to the International Court of Justice if the two countries fail to reach a negotiated solution within an agreed time frame.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Lana Zaki **Nusseibeh**
Permanent Representative